

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

HARRISON BENJAMIN KINNEY,

No. 16-cv-3480 CRB

Plaintiff,

**ORDER OF SUA SPONTE
REFERRAL AS TO WHETHER
CASES ARE RELATED**

v.

GAV'S AUTO SERVICE ET AL.,

Defendants.

Northern District of California Civil Local Rule 3-12(c) provides: "Whenever a Judge believes that a case pending before that Judge is related to another case, the Judge may refer the case to the Judge assigned to the earliest-filed case with a request that the Judge assigned to the earliest-filed case consider whether the cases are related."

After reviewing the parties' submissions, the Court believes that this case involves the same facts, the same issues, and many of the same parties as Patrick Connally v. Gav's Auto Service et al., Case No. 15-3468. There, the Honorable Jon S. Tigar denied a motion to add Harrison Kinney as a plaintiff because he lacked standing under the ADA. Here, Defendant Joan Borgwardt moves to dismiss Kinney's own complaint on the same grounds.

Accordingly, pursuant to Rule 3-12(c), this action is REFERRED to the Honorable Jon S. Tigar for a determination of whether it relates to Patrick Connally v. Gav's Auto Service et al., Case No. 15-3468.

1 **IT IS SO ORDERED.**

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3 Dated: October 4, 2016



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE